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### **DARKNET INVESTIGATION PROBLEMS**

The «dark web» is an internet shadow world where the good and the bad co-exist. On the good side, the dark web provides anonymous, highly secure communication channels to shield classified government activity and protect reform agents such as human rights activists and journalists opposed by oppressive foreign regimes. On the bad side, the dark web has emerged as an important hub of criminal commerce, a fully functional marketplace where hidden customers can buy from hidden sellers with relative confidence, often with customer ratings available, just as on the public-facing web [3].

Law enforcement and judicial agencies around the globe undertook a joint action against dark markets running as hidden services on Tor network 16 European countries, alongside counterparts from the United States, brought down several marketplaces as part of a unified international action from Europol's operational coordination centre in The Hague. The action aimed to stop the sale, distribution and promotion of illegal and harmful items, including weapons and drugs, which were being sold on online 'dark' marketplaces. Operation Onymous, coordinated by Europol's European Cybercrime Centre (EC3), the FBI, the U.S. Immigration and Customs Enforcement's (ICE), Homeland Security Investigations (HSI) and Eurojust, resulted in 17 arrests of vendors and administrators running these online marketplaces and more than 410 hidden services being taken down. In addition, bitcoins worth approximately USD 1 million, EUR 180 000 euro in cash, drugs, gold and silver were seized. The dark market Silk Road 2.0 was taken down by the FBI and the U.S. ICE HIS, and the operator was arrested [4].

The anonymity of illicit activity on the dark web cloaks an enterprise of mounting concern to authorities. One site alone generated an estimated \$219 million in annual revenue as of 2017, according to a new NIJ-supported report by the RAND Corporation (RAND). The report, "Identifying Law Enforcement Needs for Conducting Criminal Investigations Involving Evidence on the Dark Web," explores better ways to investigate dark web crimes. Although the dark web still accounts for just a fraction of all illicit sales online, it appears poised for rapid growth, according to the report. The criminal side of the dark web relies on anonymizing technology and cryptocurrency to hide its trade in an assortment of contraband such as opioids and other drugs, bomb parts, weapons large and small, child pornography, social security numbers, body parts – even criminal acts for hire. The dark web's anonymity not only

encourages illegal activities, it keeps many law enforcement agencies largely unaware of its existence, even while their jurisdictions are impacted by online transactional crimes. To raise the visibility of the dark web among law enforcement agencies and identify tools that can help them police it, an NIJ-supported gathering of experts identified law enforcement's key dark web challenges and opportunities, as well as high-priority needs for addressing them. The group included experts from federal, state, and local agencies; academic researchers; and civil rights advocates. Organized on behalf of NIJ by RAND and the Police Executive Research Forum, the experts' workshop yielded high-level recommendations focused on the following:

- Training – training officers and investigators to spot relevant dark web evidence.
- Information-Sharing – improving information sharing among agencies, both domestically and internationally.
- New Structures for Cooperation – examining the benefits of building cross-organization structures for cooperation.
- New Forensic Standards – developing new standards for forensic tools to collect dark web evidence on computers.
- New Laws for Package Inspection – researching ways to modernize laws facilitating inspection of packages shipped by mail or other services.
- Research on Crime Connections – researching the increasingly connected nature of crime to help law enforcement recognize and address both highly visible traditional crime and the less-visible crime on the dark web.

In all, the experts' workshop identified 40 problems or opportunities and 46 potential solutions or needs related to dark web investigations. Nineteen needs were deemed high-priority, across four general subject areas: training, organizational cooperation and information-sharing, tool development, and other problems and opportunities. «Taken together», said the RAND report on the workshop and its results, «the high-priority needs identified during the workshop represent a way to prepare law enforcement at all levels to better address the challenge posed by cybercrime, now and into the future». A key problem for law enforcement spotlighted by the workshop experts is a lack of knowledge of how the dark web operates and how criminals have begun to use it, the report said [5].

#### ***Список використаних джерел***

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## **INTERNATIONAL LAW AND THE WAR IN UKRAINE**

Russia invaded Ukraine in the early hours of February 24, 2022. The attack came almost exactly eight years after Russia annexed Crimea. Attacking the country on multiple fronts and targeting numerous cities with missile and aerial strikes as well as ground forces. By the following day, its forces were closing in on Kyiv, the capital. Ukraine has since requested the help of the international community which has responded with military and humanitarian aid and harsh sanctions on Russia. The country has also sought relief at international forums such as before the International Court of Justice and the International Criminal Court.

Russia's assault is a clear violation of the United Nations Charter and that sanctions imposed by the United States and others are a legally permissible response. They also argued that, despite the failure of the U.N. Security Council to prevent the conflict in Ukraine, «this might be a moment for a renewed and more inclusive engagement around the legitimate interpretation of the international law that governs the use of force».

Serious violations of human rights (e.g. the ban of torture, right to life) in many respects overlap in substance with international crimes, and core human rights apply in war as in peace times. Under human rights law, states have an obligation to persecute and punish perpetrators of certain serious human rights abuses through their domestic legal systems. International human rights courts such as the European Court of Human Rights cannot persecute individual perpetrators, but can order remedies for victims of rights abuses.

The Rome Statute of the International Criminal Court provides the definitions of core international crimes [5]:

Genocide. According to art. 6 of the Rome Statute, 'genocide' means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such.

Crimes against humanity, according to art. 7 of the Rome Statute, when committed as part of a widespread or systematic attack directed against any civilian population.

War crimes, according to Article 8 of the Rome Statute, war crimes include:

- Wilful killing;